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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/037,842
Filing Date: January 02, 2002
Appellant(s): KIKINIS, DAN

_____
Jon Roberts
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 05/19/2009 appealing from the Office action mailed

09/10/2008.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal in the brief is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 6324648 B1	Grantges	11-2001
US 20020118671 A1	Staples et al.	08-2002
US 6711611 B2	Hanhan	03-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

1. Claims 103-104, 106-107, 109-112, 114-115, 117-118, 120-123, 125-126, 128-129

and 131-134 are rejected under 35 U.S.C. 102(e) as being anticipated by Grantges (US

6324648 B1), hereinafter referred as Grantges.

    a. Regarding claim 103, Grantges disclosed a system for enabling remote access

       (Fig. 1; column 3, line 64-column 4, line 65: client computer remotely access

       applications via proxy server and web server) to applications residing on a

       processing system (Fig. 1: item 241 through 243 and 281 through 283; column 4,

       lines 13-16: applications on web servers (destination servers)) comprising: a

       firewall system interposed between a first system and a second system (Fig. 1;

       column 3, line 64-column 4, line 22; claim 1: DMZ server (authorization server)

       on private network side of firewall to authenticate a client computer to access a

       destination server over an insecure network), wherein the first system comprises):

       a user device connected to the gateway via a first network, wherein the user

       device comprises a client (Fig. 1, item 22; column 5, lines 24-38: applications on

       destination servers connected via HTTP with remote user); and a gateway

connected to an insecure side of the firewall via a second network, wherein the

gateway comprises an instance of a remote gateway agent (Fig. 1, item 34;

column 6, lines 12-36: DMZ proxy server comprises hardware and software

known to those in the art), wherein the second system comprises: a processing

system connected to a secure side of the firewall, wherein the processing system

comprises an instance of a remote proxy agent and at least one application (Fig. 1,

item 281 through 283: web servers; column 4, lines 13-16: web servers

(destination servers); column 1, lines 24-26: multiplicity of servers executing a

corresponding number of application programs; column 1, line 67-column 2, line

3: web server communication with the information collector using the well-known

CGI for transferring information between a web server and a CGI program),

wherein the remote gateway agent is configured for: receiving at the remote

gateway agent a client registration request from the remote proxy agent, wherein

the client registration request creates a client-to-server connection through the

firewall between the remote proxy agent and the remote gateway agent (in light of

lines 12-23 on page 10 of applicant's specification; column 4, line 23-65: options

page presenting multiple application choices; column 7, lines 28-62: LDAP

maintains identification of applications, application admin manages applications);

receiving a request from the user device for a task to be performed by the at least

one application residing on the processing system (column 4, lines 38-40: HTTP

request); and forwarding the task request to the remote proxy agent residing on

the processing system via the remote gateway agent to the registered remote

proxy agent (column 7, lines 1-8: gateway proxy server maps and routes messages destined for various application), and wherein the remote proxy agent comprises an interface to the at least one application (column 4, lines 13-16: applications on web servers (destination servers))and is configured for: sending the client registration request to the remote gateway agent (in light of lines 12-23 on page 10 of applicant's specification; column 4, line 23-65: options page presenting multiple application choices; column 7, lines 28-62: LDAP maintains identification of applications, application admin manages applications); receiving and analyzing the task request from the remote gateway agent (column 3, line 26-30; column 6, line 37-column 7, line 12: application gateway authenticate and map the message to destined application server); selecting and executing the at least one application via the interface to process the request (column 1, line 67-column 2, line 3: web server communication with the information collector using the well-known CGI for transferring information between a web server and a CGI program); and sending a result from the remote proxy agent to the remote gateway agent via the client-to-server connection through the firewall (Fig. 2, items 76 and 78; column 9, lines 19-35: request and result, e.g. options page).

b. Regarding claim 104, Grantges disclosed the system of claim 103, wherein the processing system is selected from the group consisting of a personal computer, a multipurpose printing center, and a computer- connected peripheral (in light of applicant's original claims 2-4; Fig. 1; column 3, line 64-column4, line 22:

application servers 24s in computer system 20, application servers 24s are
connected to application gateway).

c. Regarding claim 106, Grantges disclosed the system of claim 103, wherein the
request is selected from the group consisting of searching a directory, opening a
target file, accessing an e-mail application, sending a fax, reading a document
over a dialed telephone connection, powering on a device connected to the one or
more data processing computers, and powering off the device connected to the
one or more data processing computers (column 11, line 13-55: look up local
database user profile).

d. Regarding claim 107, Grantges disclosed the system of claim 103, wherein the
remote gateway agent is further configured for determining whether the user
device is entitled to direct the request to the processing system (column 3, line 2-
25; column 4, line 23-65).

e. Regarding claim 109, Grantges disclosed the system of claim 103, wherein the
second network is the Internet (Fig. 2).

f. Regarding claim 110, Grantges disclosed the system of claim 103, wherein the
request specifies a serial execution of serial tasks and return of results (Fig. 8,
column 14, line 25-column 15, line 63: a serial execution of tasks for web
browsing).

g. Regarding claim 111, Grantges disclosed the system of claim 103, wherein a
plurality of requests is sent to the one or more data processing computers in an

un-interrupted data session (Fig. 8, column 14, line 25-column 15, line 63: the
request is in one session).

h. Regarding claim 112, Grantges disclosed the system of claim 103, wherein the
remote gateway agent is further configured for receiving the result, and sending at
least part of the result to the user device via the first network (column 4, line 23-
65).

i. Claims 114-115, 117-118 and 120-123 are of the same scope as claims 103-104,
106-107 and 109-112. These are rejected for the same reasons as for claims 103-
104, 106-107 and 109-112.

j. Claims 125-126, 128-129 and 131-134 are of the same scope as claims 103-104,
106-107 and 109-112. These are rejected for the same reasons as for claims 103-
104, 106-107 and 109-112.

Grantges disclosed all limitations of claims 103-104, 106-107, 109-112, 114-115, 117-
118, 120-123, 125-126, 128-129 and 131-134. Claims 103-104, 106-107, 109-112, 114-
115, 117-118, 120-123, 125-126, 128-129 and 131-134 are rejected under 35 U.S.C.
102(e).

2. Claims 105, 116 and 127 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Grantges and further in view of Staples et al. (US 20020118671 A1), hereinafter
referred as Staples.

a. Grantges shows claim 103 as above. Grantges does not explicitly show (claim
105) wherein the at least one application is selected from the group consisting of

       an e-mail application, a word processing application, a facsimile application, a

       telephony application, and an operating system component application.

    b. Staples shows (claim 105) wherein the at least one application is selected from the

       group consisting of an e-mail application, a word processing application, a

       facsimile application, a telephony application, and an operating system

       component application (Fig. 1: Email server and FAX server) in an analogous art

       for the purpose of extending office telephony and network data services to a

       remote client through the internet.

    c. It would have been obvious to a person of ordinary skill in the art at the time of

       the invention was made to modify Grantges' functions of secure gateway with

       Staples' explicitly identified functions of printing.

    d. The modification would have been obvious because one of ordinary skill in the art

       would have been motivated to extend Grantges' remote access control functions

       for a computer system of application servers for an explicit computer based

       application per Staples' teaching (paragraph 6).

    e. Claims 116 and 127 are of the same scope as claim 105. These are rejected for the

       same reasons as for claim 105.

Together Grantges and Staples disclosed all limitations of claims 105, 116 and 127.

Claims 105, 116 and 127 are rejected under 35 U.S.C. 103(a).

3. Claims 108, 113, 119, 124, 130 and 135 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Grantges and further in view of Hanhan (US 6711611 B2), hereinafter

referred as Hanhan.

    a. Grantges shows claim 103 as above. Grantges does not show (claim 108) wherein the first network is a wireless network and the user device is a wireless device.

    b. Hanhan shows (claim 108) wherein the first network is a wireless network and the user device is a wireless device (column 5, lines 58-65: light device wireless connection with proxy server) in an analogous art for the purpose of data-linking a mobile knowledge worker to home communication-center infrastructure.

    c. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Grantges' functions of secure gateway with Hanhan's functions of wireless application access.

    d. The modification would have been obvious because one of ordinary skill in the art would have been motivated to have wireless access capability per Hanhan's teaching in accessing through proxy server per Grantges (column 3, lines 26-30) and Hanhan (column 5, lines 58-65)'s teaching.

    e. Regarding claim 113, Grantges shows claim 112 as above. Hanhan shows wherein the gateway server instance is further configured for transcoding the result for viewing by the user device prior to sending the result to the user device (column 8, lines 33-52: automated services system adapted to handle automated interaction and response for certain text-based interactions such as e-mails, facsimiles, and the like; column 9, lines 31-41: converter capable of real-time conversion and entry).

    f. Claims 119, 124, 130 and 135 are of the same scope as claims 108 and 113. These are rejected for the same reasons as for claims 108 and 113.

Together Grantges and Hanhan disclosed all limitations of claims 108, 113, 119, 124, 130

and 135. Claims 108, 113, 119, 124, 130 and 135 are rejected under 35 U.S.C. 103(a).

(10)   Response to Argument

In response to appellant's argument that Grantges do not teach or suggest the limitation

of "receiving at the remote gateway agent a client registration request from the remote proxy

agent, wherein the client registration request creates a client-to-server connection through the

firewall between the remote proxy agent and the remote gateway agent" as recited in claim 1 (see

last paragraph on page 6 through 1st paragraph on page 8 of current Appeal Brief Filed).

1.   As the limitation is read in light of paragraph 34 and item 200 in Fig. 2 of applicant's

(published) specification, an instance of remote proxy agent will automatically login with

WAP gateway (see last paragraph on page 3 through 1st paragraph on page 4 of current

Appeal Brief Filed). The cited references from Grantges in teaching or suggesting the

limitation are 'in light of lines 12-23 on page 10 of applicant's specification; column 4,

line 23-65: options page presenting multiple application choices; column 7, lines 28-62:

LDAP maintains identification of applications, application admin manages applications"

(see item 'a' in subsection 1 of section 9 above). The quoted section from applicant's

specification corresponds to paragraph 33 of applicant's published specification which

reads pretty similar as on paragraph 34 of applicant's published specification. Grantges

has described in column 4, line 23-65 (also in claim 9) that a user access through a proxy

server for authentication and authorization to select and access multiple applications from

an options page presenting multiple choices, i.e. of applications. Here Grantges has

taught or suggested that applications have been made known through the proxy server. In

fact, examiner has further searched and found in claims 2 and 14, Grantges has described

that a proxy server establishes secure connection with a gateway, i.e. applicant's remote

proxy agent (see Grantges' Fig. 1 and column 7, lines 1-8). In fact, Grantges is quoted to

have both a proxy server and web server in the same DMZ server; secure connection

between DMZ server and application gateway (see Fig. 1, column 3, line 64-column 4,

line 65). Grantges has described in column 7, lines 28-62 that an authorization server

comprises an LDAP-capable server and maintains the identification of applications to be

accessed by the user. Grantges has also described in column 7, lines 1-8 that the gateway

proxy server maps and routes messages destined for various application; and in column 8,

lines 53-65 DMZ server knows the URL of application gateway proxy server. This

indicates that the application must be made known to the proxy server and through which

a user has an access to the applications. Finally, examiner has further searched and found

in column 6, lines 37-66 of Grantges that application gateway is connected with DMZ

proxy server for message passing in client's access to application through a firewall

system.

2.   Examiner has reviewed and found item 'b' in section 7, i.e. the Response to

Arguments, in Office Action mailed on 08/09/2006 that has a similar discussion related

the argued limitation as above in item '1'. It is quoted as following:

> Applicant has shown in the original claim 9 a wireless gateway in a wireless data
>
> network; in the original claims 20 and 22 logging a proxy server and
>
> authenticating for access, the proxy server is a gateway between the wireless
>
> network and the Internet; in the original specification, page 2, lines 5-15, a proxy
>
> server (gateway) is set up as a firewall to obtain Web browsing capability; in the
>
> original specification, page 10, lines 3-11, the remote agent gateway is used to

provide remote access from a mobile to a desktop. Grantges has shown (Fig. 1;
column 3, line 64-column4, line 22; claim 1) DMZ server (authorization server)
on private network side of firewall to authenticate a client computer to access a
destination server over an insecure network.

3. Examiner has reviewed and found item 'b' in section 12, i.e. the Response to
Arguments, in Office Action mailed on 09/10/2008 that has a similar discussion related
the argued limitation as above in item '1'. It is quoted as following:

Applicant has argued the limitation of "receiving at the remote gateway agent a
client registration request from the remote proxy agent, wherein the client
registration request creates a client-to-server connection through the firewall
between the remote proxy agent and the remote gateway agent". Examiner has
reviewed the limitation in light of applicant's original specification and claim set.
Examiner could only identify a related section, i.e. lines 12-23 on page 10, of
applicant's specification. However, the limitation is not a direct derivation of the
cited section. The limitation is thus rejected under 35 U.S.C. 112, first paragraph.
In the same scope, Grantges has shown (column 4, line 23-65) a user is authorized
to access an application via proxy server/gateway through a firewall where the
proxy server is like the remote agent gateway and the gateway is like a remote
proxy agent of applicant's claimed invention. Thus Grantges has shown that the
application is associated with the gateway. Grantges has further shown (column 7,
lines 28-62) that a LDAP is used to maintain identification of applications and

application admin manages applications. Grantges seem to teach or suggest the
claimed invention in the scope of relevant sections from applicant's specification.

Additional arts are identified and disclosed in Office Action mailed on 09/10/2008,
including:

- a. BELANGER et al. (US 20010014839 A1) REMOTE COMMUNICATION AND INFORMATION MANAGEMENT SYSTEM
- b. Vasell et al. (US 6496575 B1) Application and communication platform for connectivity based services

(11)   Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Peling A Shaw

/P. A. S./

Examiner, Art Unit 2444

August 27, 2009

/William C. Vaughn, Jr./

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